

Notice of Allowability

Application No.

10/026,317

Examiner

John Pezzlo

Applicant(s)

LIANG, JIE

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 17 January 2006.
2. ☒ The allowed claim(s) is/are 8-16 and 20-26 (renumbered 1-16 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.



JOHN PEZZLO
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

Claims 8-16, and 20-26 are allowable over the prior art of record.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Applicants have claimed uniquely distinct features in the instant invention, which are not found in the prior art, either singularly or in combination. Each independent claim identifies the following uniquely distinct features;

1. Regarding claim 8 – A method for transmitting information in a wireless network operating in an environment with other wireless networks and sources of errors, noise, and interference, the method comprising: tuning a receiver to a frequency band of interest, taking a snapshot of a communications channel at the frequency band of interest, calculating a channel metric based on the channel snapshot, comparing the channel metric against a threshold, and performing an action based on the result of the comparison, wherein the wireless network permits transmissions in a sequence of time slots and each time slot has a corresponding transmission frequency that is from a sequence of transmission frequencies, and wherein the sequence of transmission frequencies is specified based on an address of a master unit, wherein prior to the tuning

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step, the method further comprising: determining a current time slot, and determining the frequency band of interest based on the current time slot.

2. Regarding claim 20 – A wireless communications unit comprising: an antenna for receiving and transmitting signals, a receive path coupled to the antenna, the receive path containing circuitry to process signals received via the antenna, a transmit path coupled to the antenna, the transmit path containing circuitry to process signals to be transmitted by the antenna, and a processor coupled to the receive and transmit paths, the processor comprising: a channel metric calculator coupled to the receive path, the channel metric calculator containing circuitry to measure a frequency band of interest and to generate a metric based on the measurement, a transmission frequency calculator coupled to the transmit path, the transmission frequency calculator containing circuitry to calculate a next transmission frequency based on a clock and a current transmission frequency, a transmission scheduler coupled to the channel metric calculator and the transmission frequency calculator, the scheduler containing circuitry to schedule a transmission based on information generated by the channel metric calculator, and a transmission partitioner coupled to the transmission scheduler, the channel metric calculator and the transmission frequency calculator, the partitioner containing circuitry to determine a length of the transmission based on information generated by the channel metric calculator.

3. Regarding claim 25 – A communications system comprising: At least two wireless communications units wirelessly coupled to each other, each wireless communications unit comprising: an antenna for receiving and transmitting signals, a receive path coupled to the antenna, the receive path containing circuitry to process signals received via the antenna, a transmit path coupled to the antenna, the transmit path

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containing circuitry to process signals to be transmitted by the antenna, and a processor coupled to the receive and transmit paths, the processor comprising: a channel metric calculator coupled to the receive path, the channel metric calculator containing circuitry to measure a frequency band of interest and to generate a metric based on the measurement, a transmission frequency calculator coupled to the transmit path, the transmission frequency calculator containing circuitry to calculate a next transmission frequency based on a clock and a current transmission frequency, a transmission scheduler coupled to the channel metric calculator and the transmission frequency calculator, the scheduler containing circuitry to schedule a transmission based on information generated by the channel metric calculator, and a transmission partitioner coupled to the transmission scheduler, the channel metric calculator and the transmission frequency calculator, the partitioner containing circuitry to determine a length of the transmission based on information generated by the channel metric calculator.

The closest prior art, either singularly or in combination, fail to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

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Claims 8-16, and 20-26 being allowable, **Prosecution On The Merits Is Closed** in this application.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Yonge, III (US 6,987,770 B1) discloses a frame forwarding in an adaptive network.
2. Quigley et al. (US 6,965,616 B1) discloses a network data transmission synchronization system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

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(571) 273-8300

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

2A15

500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

9 February 2006

A handwritten signature in black ink, appearing to read 'J. Pezzlo', with a stylized flourish at the end.

JOHN PEZZLO
PRIMARY EXAMINER